UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

)
) C.A. NO. 04CV40016-FDS
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STIPULATION OF DISMISSAL UNDER RULE 41(a)(1)(ii)

The parties stipulate that the action be dismissed with prejudice and without costs, interest or attorney's fees. All rights of appeal are waived.

BELA F. BALOGH

MARIETTE L. POIRIER, f/k/a

MARIETTE L.BLOGH

By his Attorney

By her Attorney

<u>/s/ Vincent Pusateri</u> <u>/s/ Jerold G. Paquette</u>
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